



ENTERED  
04/14/2021

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:	)	
	)	Chapter 11
GRIDDY ENERGY LLC, <sup>1</sup>	)	
	)	Case No. 21-30923 (MI)
Debtor.	)	
	)	<b>Relates to Docket No. 9</b>

**ORDER (I) AUTHORIZING THE DEBTOR TO PAY CERTAIN PREPETITION  
TAXES AND RELATED OBLIGATIONS, AND (II) AUTHORIZING FINANCIAL  
INSTITUTIONS TO RECEIVE, PROCESS, HONOR AND PAY ALL  
CHECKS PRESENTED FOR PAYMENT AND TO HONOR ALL FUNDS  
TRANSFER REQUESTS RELATED TO SUCH OBLIGATIONS**

Upon the motion (the “Motion”) of the debtor and debtor in possession in the above-captioned case (the “Debtor”) for an order under sections 105, 363, 506(a), 507(a)(8) and 541, of the Bankruptcy Code, Bankruptcy Rules 6003 and 6004, Bankruptcy Local Rule 9013-1(i), and the Complex Case Procedures, (i) authorizing but not directing the Debtor to remit and pay certain prepetition taxes, fees and related obligations (the “Taxes”) that the Debtor in its discretion deems necessary to various federal, state, county, and city authorities (the “Taxing Authorities”) and (ii) authorizing financial institutions to honor all checks and electronic payment requests authorized under the Motion to the extent the Debtor has sufficient funds on deposit or otherwise available therefore; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334(b); and the Court having found that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that venue of this proceeding and the Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having determined that

<sup>1</sup> The last four digits of the Debtor’s federal tax identification number are 1396. The mailing address for the Debtor is PO Box 1288, Greens Farms, CT 06838.

the relief requested in the Motion is in the best interests of the Debtor, the estate, its creditors, and other parties in interest; and this Court having found that the Debtor's notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion; and upon the record herein; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and good and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED THAT:**

1. The Debtor is hereby authorized, but not directed, to pay all prepetition Taxes owing to the Taxing Authorities, including those listed on Exhibit B to the Motion, in the ordinary course of its business, without regard to whether such obligations accrued or arose before or after the Petition Date, in each case, solely to the extent that such Taxes become payable in accordance with applicable law *provided that* the Debtor may not pay more than \$150,000 in the aggregate on account of prepetition Taxes without the written consent of the Committee, not to be unreasonably withheld, *provided further that* the Debtor may seek relief from the Court in the event that the Committee does not promptly provide its consent. To the extent that the Debtor has overpaid any Taxes, the Debtor is authorized to seek a refund or credit.

2. The Debtor is authorized, but not directed, subject to the consent of the Committee or further order of the Court, to settle some or all of the prepetition claims of the Taxing Authorities, including those listed on Exhibit B to the Motion, for less than their face amount without further notice or hearing.

3. The Debtor shall maintain a matrix/schedule of payments made pursuant to this Order, including the following information: (a) the names of the payee; (b) the date and amount of the payment; (c) the category or type of payment as described in the Motion. The Debtor shall provide a copy of any such matrix/schedule to the U.S. Trustee and any statutory committee appointed in the chapter 11 case every thirty (30) days beginning upon entry of this Order.

4. All applicable banks and other financial institutions are authorized to rely on the Debtor's direction to pay amounts in accordance with this Order provided that there are sufficient good funds standing to the Debtor's credit in the applicable accounts to make the payments and all applicable banks shall not have any liability to any party for relying on the Debtor's direction.

5. Notwithstanding the relief granted herein and any actions taken hereunder, nothing herein shall create, nor is intended to create, any rights in favor of, or enhance the status of any claim held by, any Taxing Authority.

6. Nothing in the Motion or this Order shall be construed as impairing the Debtor's right to contest the validity, priority, or amount of any Taxes allegedly due or owing to any Taxing Authorities, and all of the Debtor's rights with respect thereto are hereby reserved.

7. The relief granted herein is without prejudice to the Debtor's ability to request further relief related to the Taxes.

8. The requirements set forth in Bankruptcy Local Rule 9013-1(b) and (i) are satisfied by the contents of the Motion.

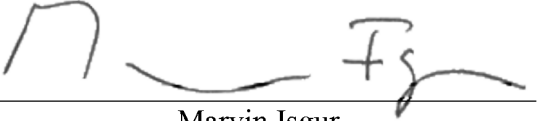
9. Notice of the Motion as provided therein shall be deemed good and sufficient notice of the Motion and the requirements of Bankruptcy Rule 6004(a) and the Bankruptcy Local Rules are satisfied by such notice.

10. Notwithstanding Bankruptcy Rule 6004(h), this Order shall be effective and enforceable immediately upon entry hereof.

11. The Debtor is hereby authorized to take such actions and to execute such documents as may be necessary to implement the relief granted by this Order.

12. The Court retains exclusive jurisdiction with respect to all matters arising or related to the implementation, interpretation, and enforcement of this Order.

Signed: April 14, 2021



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Marvin Isgur  
United States Bankruptcy Judge

United States Bankruptcy Court  
Southern District of Texas

In re:  
Griddy Energy LLC  
Official Committee Of Unsecured Creditor  
Debtors

Case No. 21-30923-mi  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0541-4  
Date Rcvd: Apr 14, 2021

User: TylerLaws  
Form ID: pdf002

Page 1 of 3  
Total Noticed: 8

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 16, 2021:**

Recip ID	Recipient Name and Address
db	+ Griddy Energy LLC, P.O. Box 1288, Greens Farms, CT 06838-1288
intp	+ Karen Prescott, c/o Jordan Holzer & Ortiz, 500 N Shoreline Blvd., Suite 900, Corpus Christi, TX 78401-0341
cr	+ Lisa Sandifer Khoury, 6227 Oleander, Baytown, TX 77523-8252
intp	State of Texas, c/o Texas Attorney General's Office, Bankruptcy & Collections Division, P. O. Box 12548 MC-008, Austin, TX 78711-2548
op	+ Stretto, 410 Exchange, Suite 100, Irvine, CA 92602-1331
cr	+ Texas-New Mexico Power Company, Jackson Walker LLP, Attn: Bruce J. Ruzinsky, 1401 McKinney Street, Suite 1900, Houston, TX 77010-1900
intp	+ multiple injured and death case tort claimants, c/o Jordan Holzer & Ortiz, 500 N Shoreline, Suite 900, Corpus Christi, TX 78401-0341

TOTAL: 7

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	Email/Text: houston_bankruptcy@LGBS.com	Apr 14 2021 20:34:00	Harris County, et al., Linebarger Goggan Blair & Sampson LLP, c/o Tara L. Grundemeier, P.O. Box 3064, Houston, TX 77253-3064

TOTAL: 1

## BYPASSED RECIPIENTS

**The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.**

Recip ID	Bypass Reason	Name and Address
intp		Bernice Willman
cr		Charles Huppert
cr		ERCOT
intp		Luminant Energy Company LLC
cr		Macquarie Energy LLC
cr		Macquarie Investments US Inc.
crem		Official Committee Of Unsecured Creditors
intp		Public Utility Commission of Texas
cr		Thomas Clark

TOTAL: 9 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the**

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**complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 16, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

**The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 14, 2021 at the address(es) listed below:**

Name	Email Address
Abigail R. Ryan	on behalf of Interested Party State of Texas Abigail.Ryan@oag.texas.gov
Bruce J Ruzinsky	on behalf of Creditor Texas-New Mexico Power Company bruzinsky@jw.com msalinas@jw.com;kgradney@jw.com;dtrevino@jw.com
Charles R Gibbs	on behalf of Creditor Committee Official Committee Of Unsecured Creditors crgibbs@mwe.com dnorthrop@mwe.com;cgreer@mwe.com
Christopher R. Newcomb	on behalf of Debtor Griddy Energy LLC chris.newcomb@bakerbotts.com jacob.herz@bakerbotts.com
David Robert Eastlake	on behalf of Debtor Griddy Energy LLC david.eastlake@bakerbotts.com
Deborah Michelle Perry	on behalf of Creditor ERCOT dperry@munsch.com
James Ryan Fowler	on behalf of Plaintiff Lisa Khoury rfowler@potts-law.com pcolburn@potts-law.com
James Ryan Fowler	on behalf of Creditor Lisa Sandifer Khoury rfowler@potts-law.com pcolburn@potts-law.com
Jamil N Alibhai	on behalf of Creditor ERCOT jalibhai@munsch.com atellez@munsch.com
Jana Smith Whitworth	on behalf of U.S. Trustee US Trustee jana.whitworth@usdoj.gov
Jason B. Binford	on behalf of Interested Party Public Utility Commission of Texas Jason.binford@oag.texas.gov
Jeffrey R Cox	on behalf of Interested Party Bernice Willman jcox@slmpc.com
John Lawrence	on behalf of Defendant Griddy Energy LLC john.lawrence@bakerbotts.com jessica.aquino@bakerbotts.com
John Lawrence	on behalf of Defendant Griddy Holdings LLC john.lawrence@bakerbotts.com jessica.aquino@bakerbotts.com
Karen Hope Beyea-Schroeder	on behalf of Creditor Thomas Clark karen.schroeder@rburnettlaw.com
Karen Hope Beyea-Schroeder	on behalf of Creditor Charles Huppert karen.schroeder@rburnettlaw.com
Kelli S. Norfleet	on behalf of Creditor Macquarie Energy LLC kelli.norfleet@haynesboone.com kenneth.rusinko@haynesboone.com
Kelli S. Norfleet	on behalf of Creditor Macquarie Investments US Inc. kelli.norfleet@haynesboone.com kenneth.rusinko@haynesboone.com
Kevin Chiu	on behalf of Debtor Griddy Energy LLC kevin.chiu@bakerbotts.com
Kevin M Lippman	on behalf of Creditor ERCOT klippman@munsch.com pmoore@munsch.com
Michael Alan Rosenthal	on behalf of Interested Party Luminant Energy Company LLC MBischoping@gibsondunn.com;kmatorana@gibsondunn.com
Rachel Ruth Obaldo	on behalf of Interested Party State of Texas bk-robaldo@oag.texas.gov sherri.simpson@oag.texas.gov

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Riley Burnett	on behalf of Creditor Charles Huppert rburnett@rburnettlaw.com
Riley Burnett	on behalf of Creditor Thomas Clark rburnett@rburnettlaw.com
Robin Spigel	on behalf of Debtor Griddy Energy LLC robin.spigel@bakerbotts.com
Shelby A Jordan	on behalf of Interested Party multiple injured and death case tort claimants ecf@jhwclaw.com
Shelby A Jordan	on behalf of Interested Party Karen Prescott ecf@jhwclaw.com
Stephen Douglas Statham	on behalf of U.S. Trustee US Trustee stephen.statham@usdoj.gov
Tara L Grundemeier	on behalf of Creditor Harris County et al. houston_bankruptcy@publicans.com
US Trustee	USTPRegion07.HU.ECF@USDOJ.GOV

TOTAL: 30